

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

FELIX LONG,

Plaintiff,

v.

DWIGHT NEVEN, *et al.*,

Defendants.

Case No. 2:13-cv-00699-RFB-GWF

ORDER

Defendants' Motion to Dismiss (ECF No. 23)

This matter is before the Court on a Motion to Dismiss filed by Defendants Dwight Neven, James G. Cox, Oscar Fine, Jennifer Nash, James Cook, Jeremy Peterson, Jason Henry, Harold Wickham, David Stevens, Francis Dreesen, Antonio Bryant, and Duane Graham (collectively, "Defendants"), filed November 20, 2013. ECF No. 23. On January 13, 2014, the Court granted Plaintiff Felix Long's motion requesting an extension of time to respond to the Motion to Dismiss and ordered that Plaintiff respond by March 24, 2014. Order, ECF No. 26. Plaintiff has not filed a response.

The Local Rules of Civil Practice for the District of Nevada state that "[t]he failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion." LR II 7-2(d). It has been more than ten months since Plaintiff was to respond to the Motion to Dismiss, and no response has been filed. The Court will therefore grant the motion to dismiss. Plaintiff will, however, have an opportunity to offer an explanation for his failure to respond and request reconsideration from the Court.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss (ECF No. 23) is GRANTED. The Complaint is dismissed without prejudice.

...

1 **IT IS FURTHER ORDERED** that Plaintiff Felix Long shall have until **April 6, 2015** to
2 file a Motion for Reconsideration explaining why he failed to file a response to the Motion to
3 Dismiss and why the Court should reconsider its decision to grant the motion. If he does not do
4 so, Plaintiff's Complaint will be dismissed with prejudice and this case will be closed.
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6 DATED this 3rd day of February, 2015.
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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE